

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases 16-10444

_____/ *The Hon. Judith E. Levy*

Bellwether III Case No. 17-10164

_____/

**DECLARATION OF COREY M. STERN IN SUPPORT OF
PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES**

Pursuant to 28 U.S.C. § 1746, I, Corey M. Stern, hereby declare as follows:

1. I am a partner of the law firm Levy Konigsberg, LLP ("LK").
2. I am Co-Liaison Counsel for Individual Plaintiffs in the above captioned matter since July 27, 2017.
3. I was also appointed Lead Counsel for Plaintiffs by the Honorable Richard Yuille on or about November 15, 2016, in the Genesee County Circuit Court litigation related to and coordinated with this litigation.
4. I have personal knowledge of the matters stated in this declaration.
5. I provide this declaration in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses. More specifically, I describe the effort invested and expenses incurred by LK in the prosecution of this action against the Veolia defendant from February 16, 2021, through October 2024.

6. LK has invested tens of thousands of hours of time related to the Flint Water Litigation, in order to achieve the Veolia Settlement that has been presented to this Court for approval.

7. The contracts of representation with the Claimants involved in this litigation provide that Plaintiffs' counsel shall be reimbursed for costs incurred in the litigation and resolution of Plaintiffs' claims. They further provide that Counsel shall be assigned thirty-three and one third percent of any "settlement, verdict, or recovery obtained" for the Client. A copy of this Contract has been provided to the Special Master.

8. Over the course of this litigation against Veolia, LK has been involved in the following specific activities:

- *Discovery*: LK has taken a leading role in the extensive discovery in these cases during the above referenced time period, which includes reviewing millions of pages of documents produced; preparing document summaries for use at depositions; drafting substantive briefing and discovery requests and responses; preparing for and participating in Court conferences regarding discovery disputes; and taking fact witness and expert depositions.
- *Expert*: LK has identified, interviewed, retained, prepared reports and depositions for experts in such diverse areas as ethics of mass torts, class actions, neurology, pediatric neurology, pediatric neuropsychology, radiology, economics, vocational rehabilitation, medical physics, hydrogeology, water distribution, and water systems.
- *Bellwether I Proceedings*: LK attorneys prepared 14 bellwether cases for trial, including extensive discovery, defending and

taking depositions, expert discovery, and trial preparation. Between February 14, 2022, and August 1, 2022, LK tried the first bellwether trial before Her Honor.

- *Bellwether III Proceedings*: LK attorneys prepared 10 bellwether cases for trial previously scheduled for October 2024, including extensive discovery, defending and taking depositions, expert discovery, and trial preparation.
- *Mediation and Settlement*: LK participated in every level of mediation.
- *Strategy and Planning*: LK attorneys have led strategic decision and planning discussions throughout the case in relation to case investigation, pleadings, briefing, and discovery, and have participated in and led calls and meetings to plan and assess case status and ensure the efficient management of tasks.
- *Motion Practice and Oral Advocacy*: LK attorneys have led briefing and oral advocacy efforts for a number of complex motions related specifically to the prosecution of their client's claims against Veolia. This includes, motions to dismiss, motions for summary judgment, motions *in limine*, *Daubert* motions, and discovery motions,

9. The total amount of unreimbursed expenses incurred by LK directly (*i.e.* not through the Class Litigation Fund) in connection with the prosecution of this litigation from February 16, 2021, through October 2024 is \$806,783.64.¹ These are reflected on LK's books and records and have been provided to the Special Master.

¹ These expenses are exclusive of those previously reimbursed through the Settlement with the State of Michigan, Rowe, the City of Flint, and McClaren Hospital, LAN, as well as those previously reimbursed through the Bellwether I Plaintiffs' individual settlements with the LAN Defendants.

10. The books and records are prepared from expense vouchers, receipts, invoices, check and bank records, and other source materials, and represent an accurate recordation of the expenses incurred.

11. The expenses referenced herein were reasonably incurred and necessary and appropriate in the prosecution of this litigation against Veolia.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2025
New York, New York

LEVY KONIGSBERG, LLP

/s/ Corey M. Stern

Corey M. Stern